REMARKS/ARGUMENTS

The Examiner is requiring restriction to one of the following groups:

Group 1: Claims 3-9, drawn to an anti-idiotype antibody which is capable of binding to a first antibody against a first antigen, characterized by comprising: a fused antigen including a substance which is capable of binding to an antigen-binding site of the first antibody and a second antigen, the substance being ligated to the second antigen; and a second antibody which is capable of binding to the second antigen, the substance which is capable of binding to the antigen-binding site of the first antibody comprises a protein, a peptide and a method of producing said anti-idiotypic antibody.

Group 2: Claims 3-9, drawn to an anti-idiotype antibody which is capable of binding to a first antibody against a first antigen, characterized by comprising: a fused antigen including a substance which is capable of binding to an antigen-binding site of the first antibody and a second antigen, the substance being ligated to the second antigen, and a second antibody which is capable of binding to the second antigen, the substance which is capable of binding to the antigen-binding site of the first antibody comprises a carbohydrate and a method of producing said anti-idiotypic antibody.

Group 3: Claims 3-9, drawn to an anti-idiotype antibody which is capable of binding to a first antibody against a first antigen, characterized by comprising: a fused antigen including a substance which is capable of binding to an antigen-binding site of the first antibody and a second antigen, the substance being ligated to the second antigen, and a

second antibody which is capable of binding to the second antigen, the substance which is capable of binding to the antigen-binding site of the first antibody comprises a lipid and a method of producing said anti-idiotypic antibody.

Group 4: Claims 3-9, drawn to an anti-idiotype antibody which is capable of binding to a first antibody against a first antigen, characterized by comprising: a fused antigen including a substance which is capable of binding to an antigen-binding site of the first antibody and a second antigen, the substance being ligated to the second antigen, and a second antibody which is capable of binding to the second antigen, the substance which is capable of binding to the antigen-binding site of the first antibody comprises a nucleic acid and a method of producing said anti-idiotypic antibody.

Group 5: Claims 3-9, drawn to an anti-idiotype antibody which is capable of binding to a first antibody against a first antigen, characterized by comprising: a fused antigen including a substance which is capable of binding to an antigen-binding site of the first antibody and a second antigen, the substance being ligated to the second antigen, and a second antibody which is capable of binding to the second antigen, the substance which is capable of binding to the antigen-binding site of the first antibody comprises a specific mixture of protein, a peptide, carbohydrate, lipid and nucleic acid and a method of producing said anti-idiotypic antibody.

Applicants hereby elected Group I, Claims 3-9, drawn to an anti-idiotype antibody which is capable of binding to a first antibody against a first antigen, characterized by

comprising: a fused antigen including a substance which is capable of binding to an antigen-binding site of the first antibody and a second antigen, the substance being ligated to the second antigen; and a second antibody which is capable of binding to the second antigen, the substance which is capable of binding to the antigen-binding site of the first antibody comprises a protein, a peptide and a method of producing said anti-idiotypic antibody with traverse on the grounds that no adequate reasons and/or examples have been provided to support a conclusion of patentable distinctiveness between the identified groups. Also, it has not been shown that a burden exists in searching the claims of the five groups.

Moreover, the MPEP at §803 states as follows:

> "If the search and examination of an entire application can be made without a serious burden, the Examiner must examine it on the merits, even though it includes claims to distinct or independent inventions."

Applicants respectfully submit that a search of all the claims would not impose a serious burden on the Office.

Furthermore, in Claims 1-4 of the present invention, the "substance which is capable of binding to an antigen-binding site of the first antibody" cannot be restricted to a categorized substance such as recited in Claim 3, i.e., a protein, a peptide, a carbohydrate, etc., because it is very clear from the specification that any substance that is recognized specifically by the first antibody is possible to be utilized. In addition, many examples have been shown of the antibodies which can recognize non-peptidic substances, such as carbohydrates, lipids, nucleic acid and mixtures thereof. Therefore, a Restriction Requirement in his application is inappropriate and should be withdrawn.

Accordingly, and for the reasons presented above, Applicants submit that the Office has failed to meet the burden necessary in order to sustain the Restriction Requirement. Withdrawal of the Restriction Requirement is respectfully requested.

Applicants respectfully submit that the above-identified application is now in condition for examination on the merits, and early notice of such action is earnestly solicited.

Respectfully submitted,

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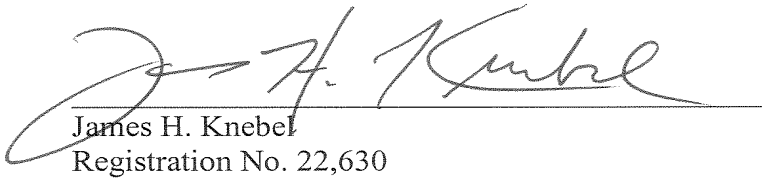

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